

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 17, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-36551 - APPLICANT/OWNER: OAKBROOK REALTY & INVESTMENTS

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a Bailbond Service use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. No temporary signage such as; banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining items or devices shall be displayed upon the subject property without appropriate permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-36551 - Staff Report Page One
December 17, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bailbond Service located at 321 South Casino Center Boulevard, Suite #105 in the ground level commercial portion of the Lewis Center Parking Garage. The applicant is proposing to operate a 1,079 square-foot Bailbond Service office at the subject location. Currently, the site consists of 17,900 square feet of vacant multi-tenant spaces within a commercial center located within the Office Core District of the Downtown Centennial Plan. The Office Core District is the primary area of legal and court-related professional functions. The proposed Bailbond Service is compatible and harmonious with the existing surrounding land uses, and is located within close proximity of the courthouse and other judicial facilities found in the Office Core District; therefore, staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
01/24/63	The Board of City Commissioners approved zoning request (Z-0159-62) from C-1 (Limited Commercial) to C-2 (General Commercial) on the subject site. The Planning Commission recommended approval on 01/22/63.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1298) for a proposed eight level parking garage with 17,959 square feet of ground level retail. Planning Commission and staff recommended approval.
10/01/03	The City Council approved a General Plan Amendment (GPA-2497) to amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south, including the subject site. Planning Commission and staff recommended approval.
01/05/05	The City Council approved an Extension of Time (EOT-5631) for a previously approved Site Development Plan Review (SDR-1298) for a proposed eight-level parking garage with 17,959 square feet of ground level retail. Staff recommended approval.
02/21/07	The City Council approved a Special Use Permit (SUP-18695) for a Bailbond Service at the northeast corner of Casino Center Boulevard and Lewis Avenue. Planning Commission and staff recommended approval.
03/21/07	The City Council approved a request for a Special Use Permit (SUP-19105) for a Bailbond Service at 321 South Casino Center Boulevard. Planning Commission and staff recommended approval.

SUP-36551 - Staff Report Page Two
December 17, 2009 - Planning Commission Meeting

05/07/08	The City Council approved request for an Extension of Time (EOT-27576) for an approved Special Use Permit (SUP-19105) for a Bailbond Service at 321 South Casino Center Boulevard. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
05/03/05	A building permit (#05002805) was issued for Certificate of Completion for a Parking Garage at 321 South Casino Center Boulevard under plan check number C-127-03. Related permits were issued for electrical, plumbing, and on-sites hardscapes for the subject site under this plan check number. A final inspection was completed on 07/10/07.
11/30/06	A permit for Civil Improvement Plans (#18394) was issued for Lewis Center Parking Garage.
07/27/09	A business license (P02-01067) was issued for a parking lot at 321 south Casino Center. The business license is still active.
10/15/09	A business license (P02-01068) was issued for a parking lot at 321 south Casino Center. The business license is still active.
<i>Pre-Application Meeting</i>	
10/13/09	A pre-application meeting was held and the application requirements for a Special Use Permit for a Bailbond Service were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
11/12/09	<p>During a routine site inspection staff observed:</p> <ul style="list-style-type: none"> • There is adequate space for the proposed location of the facility; the facility will not interfere with on-site parking or circulation. • The subject site contains a commercial shopping plaza with mainly vacant multi-tenant spaces.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Garage	C (Commercial)	C-2 (General Commercial)
North	Church	C (Commercial)	C-2 (General Commercial)
South	Regional Justice Center	PF (Public Facility)	C-V (Civic)
East	Offices, Retail	C (Commercial)	C-2 (General Commercial)
West	Clark County Detention Center	PF (Public Facility)	C-V (Civic)

SUP-36551 - Staff Report Page Three
December 17, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District (200 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	122 Feet	Yes
Min. Setbacks			
• Front	Zero Lot Line	Zero Lot Line	Yes
• Side	10 Feet	Zero Feet	Yes*
• Corner	15 Feet	18 Feet	Yes
• Rear	20 Feet	Zero Feet	Yes*
Max. Lot Coverage	NA	100%	NA
Max. Building Height	NA	120 Feet	NA
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

*Waivers of the Downtown Centennial Plan were granted to address side and rear setback deficiencies with the Approval of SDR-1298.

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail	17,900 SF	1/175	102	1	413	10	Y
Bailbond Service	2,703 SF	1/300	9				
TOTAL			112		423		

SUP-36551 - Staff Report Page Four
December 17, 2009 - Planning Commission Meeting

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. The above table is used to illustrate the requirements of an analogous project in another location in the City.

ANALYSIS

This is a request for a Special Use Permit for a Bailbond Service office within an existing 17,900 square-foot multi-tenant commercial center located at 321 South Casino Center Boulevard, Suite #105. The subject site is located in the Office Core district of the Downtown Centennial Plan. Development within this overlay district is exempt from the automatic application of the standard parking requirements. The proposed use as a Bailbond Service requires a Special Use Permit within the C-2 (General Commercial) zone. There are no special conditions or minimum requirements related to the proposed use as a Bailbond Office. The proposed use is compatible and harmonious with the existing surrounding land uses and meets Title 19 requirements; therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The surrounding land use is intended for this and other similar types of office, commercial, and retail uses. The proposed use as a Bailbond Service is harmonious with the surrounding development. The location of the proposed business adjacent to the Regional Justice Center is further appropriate to the Bailbond use.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The site is physically suitable for the type and intensity of land use proposed, as this area of downtown is designated for this and other similar uses.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

SUP-36551 - Staff Report Page Five
December 17, 2009 - Planning Commission Meeting

The proposed Bailbond Service will be within the ground level commercial portion of a parking garage structure that will be accessed solely from Casino Center Boulevard, which is identified on the Master Plan of Streets and Highways as an 80-foot Secondary Collector. This road has adequate capacity to serve the proposed use.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed Bailbond Service is a state licensed business and the site would be subject to inspections. Therefore, approved would not compromise public health and safety.

5. **The use meets all of the applicable conditions per Title 19.04.**

The use will conform to all conditions of Title 19.04 associated with the propose Bailbond Service use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED 71

APPROVALS 0

PROTESTS 0